

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

GREATER ST. LOUIS )  
CONSTRUCTION LABORERS )  
WELFARE FUND, et al., )

Plaintiffs, )

vs. )

Case No. 4:09CV742 CDP

ADAMS LANDSCAPING, INC., )

Defendant. )

**DEFAULT ORDER OF ACCOUNTING**

This is an action to collect delinquent fringe benefit contributions pursuant to Section 301 of the Labor Management Relations Act of 1947, as amended, 29 U.S.C. §185, and pursuant to Section 502 of the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. §1132.


Defendant Adams Landscaping, Inc. was served with the summons and complaint on June 16, 2009, and has not filed an answer or otherwise entered an appearance. Pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, plaintiffs have moved this Court for an order compelling defendant to submit to a financial examination so that plaintiffs can determine the amounts allegedly owed.

Plaintiffs have established that defendant is party to a collective bargaining agreement with Laborers Locals 42-53-110. This agreement requires defendant to

submit contributions to the Laborers Funds, and authorizes plaintiffs to examine the financial records of defendant to ascertain whether the required contributions were made. The only way in which plaintiffs can determine the amount owed is through such financial examination. Accordingly,

**IT IS HEREBY ORDERED** that defendant shall provide to plaintiffs within thirty (30) days of the date of this Order all books, ledgers, payroll records, cash disbursement ledgers, bank statements and other documents reflecting or pertaining to all hours worked by and wages paid to defendant's employees since September 24, 2007.

The Court reserves jurisdiction to make such further orders and grant such additional relief, including but not limited to the entry of partial and final judgments, as it deems appropriate.

  
CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 31st day of July, 2009.